Case 2:10-bk-55369 Doc 1 Filed 05/04/10 Entered 05/04/10 12:26:21 Desc Main Official Form 1 (04/10) Page 1 of 13

Document **United States Bankruptcy Court Voluntary Petition** SOUTHERN DISTRICT OF OHIO Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse)(Last, First, Middle): Smith, Edward Eugene Smith, Peggy Sue All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): NONE NONE Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 9793 (if more than one, state all): 9790 Street Address of Debtor Street Address of Joint Debtor (No. & Street, City, and State): (No. & Street, City, and State): 18093 Zolman Rd. 18093 Zolman Rd. Fredericktown OH Fredericktown OH ZIPCODE ZIPCODE **43019** 43019 County of Residence or of the County of Residence or of the Principal Place of Business: Principal Place of Business: Knox Knox Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): SAME ZIPCODE ZIPCODE Location of Principal Assets of Business Debtor
(if different from street address above): NOT APPLICABLE ZIPCODE (if different from street address above): **Nature of Business Chapter of Bankruptcy Code Under Which** Type of Debtor (Form of organization) (Check one box.) the Petition is Filed (Check one box) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Recognition П Chapter 9 of a Foreign Main Proceeding Single Asset Real Estate as defined $See\ Exhibit\ D\ on\ page\ 2\ of\ this\ form.$ П Chapter 11 in 11 U.S.C. § 101 (51B) ☐ Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) Chapter 12 Railroad of a Foreign Nonmain Proceeding Partnership Chapter 13 Stockbroker Other (if debtor is not one of the above **Nature of Debts** (Check one box) Commodity Broker entities, check this box and state type of Debts are primarily consumer debts, defined Debts are primarily entity below Clearing Bank business debts. in 11 U.S.C. § 101(8) as "incurred by an Other individual primarily for a personal, family, or household purpose" Tax-Exempt Entity Chapter 11 Debtors: (Check box, if applicable.) Check one box: Debtor is a tax-exempt organization Debtor is a small business as defined in 11 U.S.C. § 101(51D). under Title 26 of the United States Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Code (the Internal Revenue Code) Filing Fee (Check one box) Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts Full Filing Fee attached owed to insiders or affiliates) are less than \$2,343,300 (amount Filing Fee to be paid in installments (applicable to individuals only). Must subject to adjustment on 4/01/13 and every three years thereafter). attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Check all applicable boxes: A plan is being filed with this petition Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Acceptances of the plan were solicited prepetition from one or more attach signed application for the court's consideration. See Offi cial Form 3B. classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 25,001- \boxtimes 1,000 5,001-10,001-50-99 100-199 200-999 50,001-Over 1-49 50,000 5,000 10,000 25,000 100,000 100 000 Estimated Assets \$50,001 to \$0 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 More than \$50,000,001 \$100,000,001 \$500,000,001 \$500,000 \$1 billion \$50,000 \$100,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion million million million million Estimated Liabilities \$0 to \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$500,000 to \$100 to \$500 \$50,000 \$100,000 to \$1 to \$10 to \$50 to \$1 billion \$1 billion million million million

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Official Form 1 (04/10) Document Page 2 of 13 FORM B1, Page 2

Case Number: Date Filed: Date Filed:	## All Prior Bankruptcy Cases Filed Within Last 8 Years	Voluntary Petition	Name of Debtor(s):		/ 8
All Prior Bankruptcy Cases Filed Within Last 8 Years	All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Where Filed:	· ·	_	nith and	
Location Where Filed: S.D. OH, Eastern Div. Columbus O5-51656 2/7/2005 Location Where Filed: S.D. OH, Eastern Div. Columbus O8-50532 O1/24/2008 Pending Bankruptey Case Filed by any Spouse, Partner or Affiliate of this Debtor Name of Debtor: None of Debtor: NONE District: Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under Chapter 11) Exhibit A is attached and made a part of this petition Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and exhibit C is attached and made a part of this petition. No Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D).	Location Where Filed: S.D. OH, Eastern Div. Columbus O5-51656 2/7/2005 Location Where Filed: S.D. OH, Eastern Div. Columbus O8-50532 Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor Case Number: Oate Filed: S.D. OH, Eastern Div. Columbus O8-50532 O1/24/2008 Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: NONE District: Relationship: To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under Chapter 11) Exhibit A is attached and made a part of this petition Exhibit C is attached and made a part of this petition Exhibit C is attached and made a part of this petition. Exhibit C is attached and made a part of this petition. Exhibit C is attached and made a part of this petition. Exhibit D is attached and made a part of this petition. Exhibit D				
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Information Regarding the Debtor - Venue	Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.		-		
(Check any applicable box)	Information Regarding the Debtor - Venue	(Check	k any applicable box)		
				ct for 180 days immediately	
Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District	Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately	1_1	•	t.	
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Case 2:10-bk-55369 Doc 1 Filed 05/04/10 Entered 05/04/10 12:26:21 Desc Main Official Form 1 (04/10) Document Page 3 of 13 FORM B1, Page 3 Name of Debtor(s): **Voluntary Petition** Edward Eugene Smith and (This page must be completed and filed in every case) Peggy Sue Smith **Signatures** Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts petition is true and correct, that I am the foreign representative of a debtor and has chosen to file under chapter 7] I am aware that I may proceed in a foreign proceeding, and that I am authorized to file this petition. under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to (Check only one box.) proceed under chapter 7. I request relief in accordance with chapter 15 of title 11, United States [If no attorney represents me and no bankruptcy petition preparer Code. Certified copies of the documents required by 11 U.S.C. § 1515 signs the petition] I have obtained and read the notice required by are attached. 11 U.S.C. §342(b) Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States chapter of title 11 specified in this petition. A certified copy of the Code, specified in this petition. order granting recognition of the foreign main proceeding is attached. X /s/ Edward Eugene Smith Signature of Debtor (Signature of Foreign Representative) \mathbf{X} /s/ Peggy Sue Smith Signature of Joint Debtor (Printed name of Foreign Representative) Telephone Number (if not represented by attorney) 5/3/2010 (Date) 5/3/2010 Signature of Attorney* Signature of Non-Attorney Bankruptcy Petition Preparer \mathbf{X} /s/ Jeffrey A. Blankenship I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for Signature of Attorney for Debtor(s) compensation and have provided the debtor with a copy of this document Jeffrey A. Blankenship 0014764 and the notices and information required under 11 U.S.C. \$\$ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. \$ 110(h) setting a maximum fee for services Printed Name of Attorney for Debtor(s) Law Offices of Jeffrey A. Blankenship bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached. 261 S. Hamilton Rd. 43213 Columbus OH Printed Name and title, if any, of Bankruptcy Petition Preparer 614/236-1075 Telephone Number Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, 5/3/2010 responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect. Address Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. Signature of bankruptcy petition preparer or officer, principal, The debtor requests the relief in accordance with the chapter of responsible person, or partner whose Social-Security number is provided title 11, United States Code, specified in this petition. Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual. Signature of Authorized Individual Printed Name of Authorized Individual If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. Title of Authorized Individual A bankruptcy petition preparer's failure to comply with the provisions of title II and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

5/3/2010

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO **EASTERN DIVISION**

nre <i>Edward Eugene Smith</i>	Case No.
and	Chapter 13
Peggy Sue Smith	
Debtor(s)	<u> </u>

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

WARNING: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not I have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit briefing.

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[Must be accompanied by a motion for determin Incapacity. (Defined ir so as to be incapable of realizin Disability. (Defined in reasonable effort, to participate	n 11 U.S.C. § 109 (h)(4) as impaired by ng and making rational decisions with r 11 U.S.C. § 109 (h)(4) as physically in	reason of mental illness or mental deficiency	
5. The United States trustee or of 11 U.S.C. § 109(h) does not apply in this dis	• •	ned that the credit counseling requirement	
I certify under penalty of perjury that	t the information provided above is	true and correct.	
Signature of Debtor: /s/ Peggy Sue	e Smith	_	
Date: 5/3/2010			

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

In re Edward Eugene Smith	Case No.
and	Chapter 13
Peggy Sue Smith	
Debtor(s)	

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Document Page 7 of 13 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109 (h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109 (h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district. I certify under penalty of perjury that the information provided above is true and correct. Signature of Debtor: /s/ Edward Eugene Smith Date: 5/3/2010

Filed 05/04/10

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

In re		Case No.
and		Chapter 13
Peggy Sue Smith		
	/ Debtor	
Attorney for Debtor: Jeffrey A. Blankenship		

STATEMENT PURSUANT TO RULE 2016(B)

The undersigned,	pursuant to	Rule	2016(b).	Bankrun	otcv	Rules.	states	that:

- 1. The undersigned is the attorney for the debtor(s) in this case.
- 2. The compensation paid or agreed to be paid by the debtor(s), to the undersigned is:
- 3. \$ ______of the filing fee in this case has been paid.
- 4. The Services rendered or to be rendered include the following:
 - a) Analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
 - b) Preparation and filing of the petition, schedules, statement of financial affairs and other documents required by the court.
 - c) Representation of the debtor(s) at the meeting of creditors.
- 5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and

None other

6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and

None other

7. The undersigned has received no transfer, assignment or pledge of property from debtor(s) except the following for the value stated:

None

8. The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:

None

Dated: 5/3/2010 Respectfully submitted,

X/s/ Jeffrey A. Blankenship

Attorney for Petitioner: Jeffrey A. Blankenship

Law Offices of Jeffrey A. Blankenship

261 S. Hamilton Rd.

Columbus OH 43213

614/236-1075

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

In re Edward Eugene Smith	Case No.
and	Chapter 1
Peggy Sue Smith	
	/ Debtor

Attorney for Debtor: Jeffrey A. Blankenship

VERIFICATION OF CREDITOR MATRIX

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

Date: 5/3/2010	/s/ Edward Eugene Smith
	Debtor
	/s/ Peggy Sue Smith
	Joint Debtor

AHN OHIO CENTRAL BILLING 2500 CORPORATE EXCHANGE DR STE 100 COLUMBUS OH 43231

ALLTEL
BLDG 4 SECOND FLOOR
ONE ALLIED DR
LITTLE ROCK AR 72202

AMERICAN ELECTRIC POWER PO BOX 24401 CANTON OH 44701

AMERICAN GENERAL FINANCE INC 1504 COSHOCTON AVE MT VERNON OH 43050

ATTY GENERAL - COLLECTION ENF ATTN BANKRUPTCY STAFF 150 E GAY ST 21ST FLOOR COLUMBUS OH 43215

CALIFORNIA RECOVERY BUREAU 135 VALLECITOS DE ORO STE G SAN MARCOS CA 92069

COLLECTECH SYSTEMS
CONSUMER SERVICE DEPT
PO BOX 4157
WOODLAND HILLS CA 91365

CREDIT ADJUSTMENTS INC 330 FLORENCE ST PLAZA CENTER MALL DEFIANCE OH 43512

DEBT RECOVERY SOLUTIONS OF OH PO BOX 1307
MANSFIELD OH 44901

EMPIRE AFFILIATES CREDIT UNION PO BOX 216 MANSFIELD OH 44901

FREDERICKTOWN FAMILY PRACTICE 16361 VILLAGE PKWY FREDERICKTOWN OH 43019

GRANGE MUTUAL CASUALTY COMPANY 650 S FRONT ST PO BOX 1218 COLUMBUS OH 43216

GREEN TREE PO BOX 94710 PALATINE IL 60094

HARVARD COLLECTION SVCS 4839 N ELSTON AVE CHICAGO IL 60630

INTERNAL REVENUE SERVICE SPECIAL PROCEDURES SECTION PO BOX 1579 CINCINNATI OH 45201

KEIS GEORGE LLP 55 PUBLIC SQ STE 800 CLEVELAND OH 44113

KMS COLLECTIONS INC 300 W VINE ST MT VERNON OH 43050

KNOX COMMUNITY HOSPITAL PO BOX 1288 MT VERNON OH 43050

KNOX COUNTY TREASURER 117 E HIGH ST MT VERNON OH 43050

KNOX EMERGENCY SERVICES LLC DEPT KNO PO BOX 827418 PHILADELPHIA PA 827418

KNOX UROLOGY INC 812 COSHOCTON AVE MT VERNON OH 43050

MEADE & ASSOCIATES 737 ENTERPRISE DR WESTERVILLE OH 43081

MEDCLR INC C/O NCO FINANCIAL SYSTEMS INC PO BOX 8547 PHILADELPHIA PA 19101 NCO FINANCIAL SYSTEMS INC 1804 WASHINGTON BLVD MAILSTOP 450 DEPT 03 BALTIMORE MD 21230

OHIO DEPARTMENT OF TAXATION ATTN BANKRUPTCY DIVISION PO BOX 530 COLUMBUS OH 43216

RBC PO BOX 1548 MANSFIELD OH 44901

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U S TRAVEL INC PO BOX 319 LOUDONVILLE OH 44842 UHLINGER AND KEIS 55 PUBLIC SQ STE 800 CLEVELAND OH 44113

VERIZON WIRELESS PO BOX 9058 DUBLIN OH 43017

WALLY WORLD MARKETING C/O SAGE SYSTEMS INC PO BOX 34334 SEATTLE WA 98124

WFS FINANCIAL INC PO BOX 168048 IRVING TX 75016